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8 *Attorneys for Defendant*  
9 *Wal-Mart Stores, Inc.*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

Case No.: 2:17-cv-02901-JCM-VCF

12 DEBORAH MCKENZIE,

13 Plaintiff,

14 v.

15 WAL-MART STORES INC.; and DOES 1  
through 100; and ROE CORPORATIONS 101  
16 through 200, inclusive,

17 Defendants.

**STIPULATION AND [PROPOSED]  
ORDER TO EXTEND DISCOVERY  
DEADLINES**

**[FIRST REQUEST]**

18  
19 Plaintiff Deborah McKenzie, (hereinafter "Plaintiff") and Defendant WAL-MART STORES,  
20 INC. (hereinafter "WALMART" or "Defendant"), by and through their respective counsel of record,  
21 do hereby stipulate to extend the remaining deadlines in the current scheduling order and discovery  
22 plan in this matter for a period of sixty (60) days for the reasons explained herein.

23 Pursuant to Local Rule 6-1(b), the parties hereby aver that this is the first such discovery  
24 extension requested in this matter.

**DISCOVERY COMPLETED TO DATE**

- 25 • The parties have conducted an FRCP 26(f) conference and have served their respective FRCP  
26 26(a) disclosures;
- 27 • Plaintiff served their Initial Disclosures on December 14, 2017  
28

- Defendant served their Initial Disclosures on December 8, 2017
- Defendant has received executed authorizations for plaintiff and has requested medical records on December 22, 2017.

## **DISCOVERY TO BE COMPLETED AND REASONS FOR EXTENSION OF**

### **DISCOVERY**

Discovery to be completed includes:

- Plaintiff's and Defendant's Written Discovery request(s);
- Deposition of Plaintiff Deborah McKenzie (Currently set for 1/23/18);
- Plaintiff's IME with Defendant's expert Physicians;
- Depositions of fact witnesses;
- Depositions of Plaintiff's treating physicians;
- Depositions of expert witnesses and rebuttal expert witnesses;
- Defendants' 30(b)(6) witness depositions; and
- Inspection of the subject premises (if necessary).

The parties aver, pursuant to Local Rule 6-1, that good cause exists for the requested extension. The parties agree that, pending this Court's approval, extension of remaining discovery deadlines is appropriate, as Defendants are still in the process of obtaining Plaintiff's medical records. Further, the parties wish to further investigate this case by conducting additional depositions of important fact witnesses prior to initial expert disclosures in an effort to determine if a resolution to this matter can be reached prior to incurring fees and costs associated with disclosing experts and their respective opinions.

### **[PROPOSED] NEW DISCOVERY DEADLINES**

<b>Interim Status Report</b>	.	.	.	<b>April 2, 2018</b>
<b>Expert Disclosure Deadlines</b>	.	.	.	<b>April 2, 2018</b>
<b>Rebuttal Expert Disclosure Deadline</b>	.	.	.	<b>May 1, 2018</b>

1           **Discovery Cut-Off Date**           .           .           .           .           **June 1, 2018**

2           **Proposed Joint Pre-Trial Order**           .           .           .           .           **July 31, 2018**

3           **Dispositive Motion Deadline**           .           .           .           .           **July 2, 2018**

4           If this extension is granted, all anticipated additional discovery should be concluded within the  
5 stipulated extended deadline. The parties aver that this request for extension of discovery deadlines is  
6 made by the parties in good faith and not for the purpose of delay.  
7

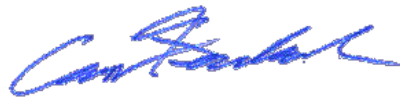
8 DATED this 5th day of January, 2018.

DATED this 5th day of January, 2018.

9           /s/ Sean J. Akari  
10          Sean J. Akari, Esq.  
11          Nevada Bar No. 13300  
12          BERNSTEIN & POISSON  
13          320 S. Jones Blvd  
14          Las Vegas, NV 89107  
15          Attorneys for Plaintiff

/s/ Betsy Jefferis  
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          Nevada Bar No. 12980  
          PHILLIPS SPALLAS & ANGSTADT  
          504 South Ninth Street  
          Las Vegas, Nevada 89101  
          Attorneys for Defendant  
          Wal-Mart Stores, Inc.

16           **IT IS SO ORDERED:**



17           **UNITED STATES MAGISTRATE JUDGE**

18           1-8-2018

19           **DATED:** \_\_\_\_\_

**CERTIFICATE OF SERVICE**

Pursuant to FRCP Rule 5, I hereby certify that I am an employee of the law firm PHILLIPS, SPALLAS & ANGSTADT, LLC, and that on this 5<sup>th</sup> day of January, 2018, I electronically served a copy of **STIPULATION AND [PROPOSED] ORDER TO EXTEND DISCOVERY**

**DEADLINES [FIRST REQUEST]** as follows:

- ☐ By facsimile addressed to the following counsel of record, at the address listed below;
- ☐ By placing same to be deposited for mailing in the United States Mail, in a sealed envelope upon which first class postage was prepaid in Las Vegas, Nevada;
- ☐ By Hand Delivery (ROC); and/or
- ☒ By Electronic Service through CM/ECF to:

ATTORNEY OF RECORD	TELEPHONE/FAX	PARTY
Scott L. Poisson, Esq. Nevada Bar No. 10188 Sean J. Akari, Esq. Nevada Bar No. 13300 BERNSTEIN & POISSON 320 S. Jones Blvd. Las Vegas, NV 89107	Phone 702-877-4878 Fax 702-256-6280	Plaintiff

  
An Employee of PHILLIPS, SPALLAS & ANGSTADT LLC